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GB13432-2003 Special Nutrient Food Labeling G/TBT/N/CHN/34

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Report Highlights:

This report is an UNOFFICIAL translation of China's drafted National Standard for Special Nutrient Dietary Food Labeling (GB13432). The report includes China's related WTO notification (G/TBT/N/CHN/34) dated November 13, 2003. News reports indicate the regulation has been adopted and put into gradual implementation with a grace period until October 1, 2005. Note: final approved language is not yet available.

Includes PSD Changes: No
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Disclaimer

Information in this translated report may not be completely accurate either because policies may change when the regulation is adopted, or because clear and consistent information about these policies was not available. Therefore, U.S. exporters should try to verify all import requirements with their foreign customers, who are normally best informed, before any goods are shipped. Final import approval of any product is subject to the importing country's rules and regulations as interpreted by border officials at the time of product entry. In the event of any errors or omissions in this translation, the original Chinese version shall prevail.

Background

On November 13, 2003 China notified G/TBT/N/CHN/34 to the World Trade Organization. The notified document, the *General Standard of Prepackaged Food for Special Nutrient Use* (GB13432-2003), revised China's previous National Standard for Special Nutritional Food Labeling from 1992 (CH1045). The WTO notification allowed for 60 days of comments. The U.S. delivered comments on January 12, 2004 and received a response from China on February 19, 2004. News reports indicate the Standard is adopted and products will be granted a grace period until October 1, 2005. Final approved language is not yet available.

Begin Translation**Preamble**

- All portions of this Standard, except Articles 5.3 and 5.5, are mandatory.
- This standard is adopted from, but not equivalent to, (CAC) CODEX STAN 146-1985 the General Standard of Labeling for Pre-packaged Food of Special Dietary Use and CAC/G123-1997 Guidance to Nutrition Claims.
- This standard replaces GB13432-1992 Labeling of Foods for Special Nutrient.
- This standard has been modified as follows in comparison with GB13432-1992 as follows:
 - o Standard title has been changed to the General Standard of Labeling for Pre-packed Food of Special Dietary Use;
 - o Combines Articles 4 General Principles and Article 8 General Requirements of GB 13432-1992 into Article 4 General Requirements;
 - o Adds "claims of calorie, nutrient content levels" (See 5.4.1);
 - o Adds "claims of comparison of calorie, nutrient content" (See 5.4.2);
 - o Adds "claims of nutrient function" (See 5.4.3);
 - o Adds expression and permitted deviations for indication method/value of calorie and nutrient (Appendix A).
- GB 13432-2003 is one of the national standards for food labeling.
- Other relevant standards include:
 - o GB 7718-2003 The General Standard of Labeling for Pre-packaged Food (replacing GB 7718-1994);
 - o GB 10344-2003 The General Standard of Labeling for Pre-packaged Drink Wine (replacing GB 10344-1989)
- Appendix A of this standard is a standardized appendix.
- This standard is proposed and managed by the National Technical Committee for Food Industry Standards.
- The standard-drafting team organized by the National Technical Committee for Food Industry Standards drafted this standard.
- Main drafters of this standard include: Hao Yi, Wang Yijun, Wang Meiling, Bai Demei, Tian Xijing, Tian Mingfu, Xu Hongmin, Yang Guizhi, Yang Xiaoming, Zhang Lijun, Chen Yaojun, Zheng Xin, Zhao Xiaotong, Zhao Xuejun, Dong Hongyan, Ji Chao, Jain Huiwei, and Li Linan.

GB13432-2003 National Standard for Special Nutrient Food Labeling**1. Scope**

This standard stipulates:

- General requirements for pre-packaged food of special dietary use (Article 4);
- Mandatory labeling content of pre-packaged food of special dietary use (see 5.1);
- Exemptions of mandatory labeling content for pre-packaged food of special dietary use (see 5.2);
- Voluntary labeling content of pre-packaged food of special dietary use (see 5.3).
- Permitted labeling content for pre-packaged food of special dietary use;
- Recommended labeling content for pre-packaged food of special dietary use.
- This standard applies to the labeling of all consumer-ready pre-packaged food of special dietary use as stipulated in Article 3.1 of this standard. It also applies to nutritional labeling of pre-packaged food.

2. Referenced Standards

The clauses in the following documents that have been cited by this standard become clauses of this standards. For referenced documents with a date, their consequent modifications (not including errata) or revised versions do not apply to this standard. However, parties having reached an agreement based on this standard are encouraged to study whether the latest versions of these documents are applicable. For the referenced documents without a date, their most recent versions apply to this standard.

GB 7718-2003 The General Standard of Labeling for Pre-packaged Food

Recommended Nutritional Intake Levels in Chinese Diet (first edition in April 2001, authored by China Nutrition Studies)

3. Terminology and Definitions

The following terminologies and definitions along with those established in GB 7718-2003 apply to this standard.

3.1 Special dietary foods

Foods processed with special formulas to accommodate physiological requirements of particular groups or to meet the nutrition needs of some patients, including infant foods. The ingredients or ingredient content of such foods should differentiate significantly from comparable traditional foods.

3.2 Nutrient

Food-origin substances that maintain organism growth, activities, and normal metabolism, including five categories, namely protein, fat, carbohydrate, mineral, and vitamin; water, food fiber, and other food-borne elements beneficial to organism also belong to nutrients.

3.3 Recommended nutrient intake, RNI

Based on laboratory experiments, the intake amount of certain nutrient from food to maintain daily normal physiological functions and activities of an organism among overwhelming majority (97%-98%) of healthy individuals; Practice of long-term RNI may accumulate adequate reserves in an organism.

3.4 Adequate intake, AI

Based on observation and investigation, the daily intake amount of certain nutrient for individuals of healthy group. Both RNI and AI can satisfy requirements of almost all individuals. AI is far less accurate than RNI.

4. General Requirements

Labeling of special dietary food should follow the principles prescribed in Chapter 4 of GB 7718-2003, and must not include the following contents:

- 4.1 Having preventive, easing, treating, or curing functions for a certain disease.
- 4.2 Having "rejuvenating", "prolonging life expectancy", "turning white hair to black", "simulating dental growth", "cancer resistance or curing", and other similar languages.
- 4.3 Attaching medical terms before or after food name, or employing illustrations and medicine names (excluding materials served as both medicine and food) to imply curing, health-enhancing functions.

5. Labeling Contents

5.1 Mandatory labeling content

5.1.1 Food name

5.1.1.1 Labeled in accordance with Article 5.1.1 of GB 7718-2003

5.1.1.2 Only foods falling into categories of Article 3.1 may use modifiers of special implication such as "infant formula milk powder", "pregnancy milk powder", "sugar-free instant soy milk powder" (served to diabetic patients), "iron-enhanced, high protein instant soy milk powder" (served to anemic patients).

5.1.2 Ingredient list and indication of ingredient content

Labeled in accordance with Articles 5.1.2 and 5.1.3 of GB 7718-2003

5.1.3 Calorie and nutrient

Based on actual existence of nutrients in food, content levels and corresponding calorie values of protein, fat, carbohydrate, vitamins reflecting features of special dietary food, and minerals should be indicated in accordance with Appendix A.

The content of nutrient enhancer being added in special dietary food should be labeled.

5.1.4 Net content and content of drip-dried materials (solids)

Indicated in accordance with Article 5.1.4 of GB 7718-2003.

5.1.5 Names and addresses of manufacturer/distributor.

Identified in accordance with Article 5.1.5 of GB 7718-2003.

5.1.6 Indication of date and storage guidance

5.1.6.1 Date of manufacture and minimum date of durability should be indicated in accordance with 5.1.6 of GB 7718-2003, while indication of use-by date is optional.

5.1.6.2 If the date of minimum durability or use-by date of the special dietary food is associated with storage conditions, the specific storage conditions should be indicated.

5.1.6.3 If a special dietary food is not suitable for storage or cannot be stored in original container after it is unsealed, consumers should be alerted.

5.1.7 Serving method and applicable groups

5.1.7.1 Serving methods, daily or meal intake should be indicated. Cooking or reconstitution methods should be provided if necessary.

5.1.7.2 The special dietary food should be indicated with applicable groups.

5.1.8 Product standard coding

Indicated in accordance with Article 5.1.7 of GB 7718-2003.

5.1.9 Quality grade

Indicated in accordance with Article 5.1.8 of GB 7718-2003.

5.1.10 Other mandatory labeling content

Indicated in accordance with Article 5.1.9 of GB 7718-2003.

5.2 Exemption of mandatory labeling content

Exempted in accordance with Article 5.2 of GB 7718-2003

5.3 Voluntary labeling content

If necessary, product batch numbers may be indicated

5.4 Permitted labeling content

5.4.1 Claims of calorie and nutrient content levels

Pre-packaged foods of special dietary use (or pre-packaged foods) may be labeled with claims of calorie and nutrient content levels if they comply with the limits stipulated in Table 1.

Table 1

Calorie, nutrient	Claims	Limits (no greater than)	
Calorie	Low	Solid food: 170kJ/100g	
		Liquid food: 80kJ/100mL	
	None	Liquid food: 17kJ/100mL	
Fat	Low	Solid food: 3g/100g Liquid food: 1.5g/100ml	
	None	Solid or liquid food: 0.5 g/100g (100mL)	
Saturated fat	Low	Solid food: 1.5g/100g; calorie of saturated fat accounts for less than 10% of total calorie value	
		Liquid food: 0.75g/100g; calorie of saturated fat accounts for less than 10% of total calorie value	
	None	Solid or liquid food: 0.1 g/100g (100mL)	
Cholesterol	Low	Cholesterol	Solid food: 20mg/100g
			Liquid food: 10mg/100mL
		Saturated fat	Solid food: 0.75g/100ml; calorie of saturated fat accounts for less than 10% of the total calorie value
			Liquid food: 0.75mg/100mL; calorie of saturated fat accounts for less than 10% of total calorie value

	None	Cholesterol Saturated fat	Solid or liquid food: 5mg/100mg (100mL)
			Solid food: 1.5g/100g; calorie of saturated fat accounts for less than 10% of total calorie
			Liquid food: 0.75g/mL; calorie of saturated fat accounts for less than 10% of the total calorie
Sugar (all monosaccharides and disaccharides)	None	Solid or liquid food: 0.5g/100g (100mL)	
Sodium	Low	Solid food: 120mg/100g	
	Very low	Solid food: 40mg/100g	
	None	Solid food: 5mg/100g	
Note: Saturated fat refers fatty acid in fat is saturated, but measured with fat			

Note: Where national standards with regard to calorie and nutrient claims are in place, the corresponding standard should apply.

5.4.2 Claims of comparison of calorie and nutrient content

Pre-packaged food of special dietary use (or pre-packaged food) that falls under categories of Articles 5.4.2.1 to 5.4.2.3 can be indicated of claims with comparison of calorie or nutrient content, such as "reduces", "increases", "less than"(lower than), "more than" (greater than, higher than), etc.

5.4.2.1 For foods that have been labeled with such comparison claims, the comparing and compared foods should fall into the same type or category of food and are easy for consumers to understand.

5.4.2.2 Weight percentage or absolute value of comparing and compared foods should be used to indicate the differences regarding calorie or nutrients.

5.4.2.3 The difference between the compared and comparing foods should be no less than 25% in terms of calorie value or nutrient content.

5.4.3 Claims of nutrient function

Pre-packaged foods of special dietary use (or pre-packaged foods) fall under categories of articles

5.4.3.1 to 5.4.3.3 may claim a nutrient's physiological role in maintaining the normal growth and development of human being. For example:

"Cadmium is a key component of bone and tooth, and maintains bone density";

"Protein is an important component of an organism";

"Iron is a contributor to red blood cells";

"Vitamin E protects fat within human body from oxidization";

"Folic acid is helpful for the normal fetal development".

(Food) should not claim or imply having curing, treating, or disease-prevention functions, nor should it be claimed of serving as a nutrient.

5.4.3.1 The content of the nutrient being claimed should be 25% greater (or less) than that of the corresponding traditional food.

5.4.3.2 The content of the nutrient being claimed should be significant. For example, cadmium in cattle milk.

5.4.3.3 The functions of the nutrient being claimed are based on common science.

5.5 Recommended labeling content

5.5.1 While labeling the nutrition facts, weight percentage may be used to reflect the ratio between a nutrient content in per take or 100g (100mL) of the food and RNI referred in Recommended Nutrient Intake Levels in Chinese Diet based on applicable groups, i.e. x%.

5.5.2 If RNI is unavailable; weight percentage may be used to reflect the ratio between a nutrient content per intake or 100g (100 mL) of the food and AI referred in Recommended Nutrient Intake Levels in Chinese Diet

Appendix A

(Standardized appendix)

Expression and Permitted Deviations of Indication Method/Value for Calorie and Nutrient in Foods

A.1 Indication method for calorie and nutrient

A.1.1 Calorie

A.1.1.1 A special dietary food should be labeled with calorie value per intake (meal) or in each 100g (100mL).

A.1.1.2 Calorie is indicated with kJ or J. Example: 1966kJ/100g, or 1966kJ/100mL

A.1.1.3 Calorie coefficient of nutrient is indicated as follows:

-	Carbohydrates	17kJ/g
-	Protein	17kJ/g
-	Fat	37kJ/g
-	Alcohol	29kJ/g
-	Organic acid	13kJ/g

A.1.2 Protein, fat, food fiber, carbohydrates (can be utilized)

Content (g) of protein, fat, food fibers, and carbohydrates (can be utilized) per intake (meal) or in each 100g (100mL) of a food should be labeled.

If types of carbohydrates are labeled, they should read as follows:

- Per 100g (100mL) contains X g of carbohydrates, of which X (e.g. glucose, saccharose) is X g.

A.1.3 Vitamin

Content (mg, µg or UI) of vitamin in per take (meal) or per 100g (100mL) of a food should be labeled.

- Vitamins B₁, B₂, C are indicated with mg or µg;
- Vitamins A, D, E are indicated with international unit (IU) or mg or µg.

A.1.4 Mineral and micronutrients

Content (mg, µg or UI) of minerals or micronutrients per intake (meal) or in each 100g (100mL) of a food should be labeled.

A.2 Expression of indicated value and permitted deviations

Indicated calorie and nutrient value can be expressed by any one, two, or three of the methods described in Article A.2.1 to A.2.3, of which A.2.2 is most reasonable and understandable.

A.2.1 Indicates scope, e.g. each 100mL sterilized pure milk contains 3.0%-5.0% of protein; each 100 g of milk powder contains 6mg -11mg of iron.

If labeled this way, the actual content of a nutrient should not exceed the indicated scope.

A.2.2 Indicates average value, e.g. each 100g of sterilized pure milk contains average 3.0 g of protein; each 100g of milk powder contains average 8mg of iron; or indicates average value in per 100g (100mL) in the nutrition fact table.

By labeling this way, the actual content of an enhanced nutrient or natural nutrient should not be lower than 80% of the indicated value.

If it claims low calorie, low fat, low saturated fatty acid, low cholesterol, or low sodium, the actual content of these substances should not be greater than 20% of the indicated values.

A.2.3 Indicates highest or lowest values, e.g. each 100g of sterilized pure milk contains no less than 3.0g of protein (or protein content no less than 3.0g/100mL); each 100g de-fat milk powder contains no greater than 1.5g of protein (or fat content no greater than 1.5g/100g).

If labeled this way, the actual content of a nutrient should not be higher or lower than the indicated value.

End Translation

G/TBT/N/CHN/34 National Standard for Special Nutrient Food Labeling WTO Notification

WORLD TRADE ORGANIZATION COMMITTEE ON TECHNICAL BARRIERS TO TRADE	G/TBT/N/CHN/34 13 November 2003 (03-6096) Original: English
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NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1. Member to Agreement notifying: <u>THE PEOPLE'S REPUBLIC OF CHINA</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: Standardization Administration of the People's Republic of China (SAC) Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): All pre-packaged (filled) food for special dietary use
5. Title, number of pages and language(s) of the notified document: General Standard of Labelling for Pre-packaged Food for Special Dietary Use (8 pages, in Chinese)
6. Description of content: This regulation provides basic requirements as well as contents of mandatory labelling, exemption from mandatory labelling, voluntary labelling, permitted labelling and recommended labelling. Basic requirements include: Same as the basic requirements in General Standard of Labelling for Pre-packaged Food, and the following description shall not be used: <ol style="list-style-type: none"> 1. Any claim as to the prevention or treatment of a disease. 2. Any claim as to "the recovery of one's youthful vigour", "prolongation of life", "change hoary hairs to black", "new teeth re-growth in the gums of fallen teeth", "anticancer or curing cancer", and so on. 3. Any declaration of drug name before or after the name of a food, or the pictorial or name of a drug implying the effects of treatment or functional role. Mandatory requirements on labelling include: <ol style="list-style-type: none"> 1. The following contents on the label shall be clearly indicated: name, ingredients, net content of food; name and address of the manufacturer;

	<p>manufacturing date; best before; the product standard code and irradiated food or ingredients.</p> <p>2. This standard is a revision of Labelling Standard of Food for Special Nutrient (1992) in line with CAC CODEX STAN 146-1985, CAC/GL 1-1979 (1991), CAC/GL 2-1985 (1993), CAC/GL 23-1997 (2001), Food Hygiene Law of the People's Republic of China, Product Quality Law of the People's Republic of China.</p> <p>3. For pre-packaged food for special dietary use sold in China (not including Hong Kong, Macao and Taiwan) that not comply with the General Standard of Labelling of Pre-packaged Food, penalty shall be imposed according to the level of seriousness.</p>
7.	Objective and rationale, including the nature of urgent problems where applicable: To protect consumers, prevent cheating, and maintain fair trade.
8.	Relevant documents: CAC CODEX STAN 146-1985 CAC/GL 1-1979 (1991) CAC/GL 2-1985 (1993) CAC/GL 23-1997 (2001) Food Hygiene Law of the People's Republic of China Product Quality Law of the People's Republic of China Product Label and Labelling Regulation [Issued by The State Bureau of Technical Supervision (1997) No. 172] Metrological Inspection on Quantitative Packaged Commodity [No. 43 Ordinance of the State Bureau of Technical Supervision] Chinese Dietary Reference Intakes (China Nutrition Academy, April 2001, 1st publication)
9.	Proposed date of adoption: } Proposed date of entry into force: } To be determined
10.	Final date for comments: 60 days after the date of notification
11.	Texts available from: National enquiry point [X] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body: